

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 1997-230-C and 2008-215-C - ORDER NO. 2008-534

JULY 22, 2008

IN RE: Docket No. 1997-230-C – Application of Tel)	ORDER CANCELLING
West Communications, LLC (f/k/a HTR&L)	CERTIFICATE AND
Enterprises, Inc. d/b/a Hart Communications))	DISMISSING AS MOOT
for a Certificate of Public Convenience and)	ORS’ PETITION
Necessity to Provide Alternative Local)	RELATING TO DOCKET
Exchange Services throughout South Carolina)	NO. 1997-230-C
)	
and)	
)	
Docket No. 2008-215-C – Petition of the)	
Office of Regulatory Staff for Commission to)	
Order a Rule to Show Cause as to Why the)	
Certificates of Public Convenience and)	
Necessity for Certain Providers of)	
Telecommunications Services Should Not Be)	
Revoked for Failure to File Annual Reports)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the request of Tel West Communications, LLC (f/k/a HTR&L Enterprises, Inc. d/b/a Hart Communications) (Tel West or the Company) for cancellation of the Company’s Certificate of Public Convenience and Necessity and on the Petition of the Office of Regulatory Staff (ORS) for a Rule to Show Cause against certain telecommunications services providers. The record reveals that a Certificate of Public Convenience and Necessity to provide telecommunications in South Carolina was granted to Tel West pursuant to Commission Order No. 97-814, dated September 18,

1997, in Docket No. 1997-230-C, and Commission Order No. 2004-449, dated September 27, 2004, in Docket No. 2004-133-C.

On May 21, 2008, ORS filed a petition seeking revocation of the Certificates of Public Convenience and Necessity of certain providers of telecommunications services for failure of the certificated carriers to file annual reports as required by 26 S.C. Code Ann. Regs. 103-612.1 (Supp. 2007). The record reflects that Tel West was listed in ORS' petition as a certificated carrier in non-compliance with the requirement to file annual reports.

Subsequently, on July 9, 2008, Tel West filed a request with the Commission seeking cancellation of the Certificate in question. According to Tel West, the Company ceased providing telecommunications services in South Carolina as of December 1, 2007.

Upon review of the matters asserted in the present requests, the Commission is of the opinion, and so finds, that the relief requested by Tel West should be granted and the petition of ORS should be dismissed as moot. If applicable, however, Tel West remains responsible for any assessments due.

IT IS THEREFORE ORDERED:

1. That the Certificate of Public Convenience and Necessity to provide telecommunications services in South Carolina of Tel West Communications, LLC (f/k/a HTR&L Enterprises, Inc. d/b/a Hart Communications) is hereby cancelled.

2. That the Petition of the Office of Regulatory Staff for a Rule to Show Cause as to Why the Certificates of Public Convenience and Necessity for Certain Providers of Telecommunications Services Should Not Be Revoked (Docket No. 2008-

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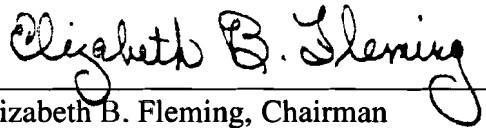
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215-C), relative to the Certificate of Public Convenience and Necessity of Tel West Communications, LLC (f/k/a HTR&L Enterprises, Inc. d/b/a Hart Communications), is dismissed as moot.

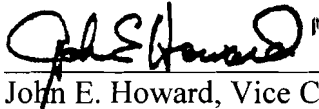
3. If applicable, Tel West Communications, LLC (f/k/a HTR&L Enterprises, Inc. d/b/a Hart Communications) remains responsible for any assessments due.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Elizabeth B. Fleming, Chairman

ATTEST:


John E. Howard, Vice Chairman

(SEAL)